

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

SIMPLIVITY CORPORATION,

Plaintiff,

v.

SPRINGPATH, INC.,

Defendant.

C.A. NO. 4:15-cv-13345-TSH

**DECLARATION OF ANANT SARASWAT IN SUPPORT OF DEFENDANT  
SPRINGPATH, INC.'S MOTION TO DISMISS PLAINTIFF'S SECOND AMENDED  
COMPLAINT PURSUANT TO FED. R. CIV. P. 12(B)(6)**

I, Anant Saraswat, state the following under oath:

1. I am a Counsel with the law firm of Wilmer Cutler Pickering Hale and Dorr LLP, and counsel of record for Defendant Springpath, Inc. in the above-captioned action. I am an attorney in good standing admitted to the bar of the Commonwealth of Massachusetts. I submit this Declaration in support of Defendant Springpath, Inc.'s Motion to Dismiss Plaintiff's Second Amended Complaint.

2. Attached hereto as Exhibit A is a true and accurate copy of the transcript of the January 26, 2016 Motion Hearing before this Court on Springpath's Motion to Dismiss Plaintiff's First Amended Complaint.

3. Attached hereto as Exhibit B is a true and accurate copy of an email from Sarah Guske to Lisa Belpedio, dated January 29, 2016.

4. Attached hereto as Exhibit C is a true and accurate copy of Springpath, Inc., *Are All Hyperconvergence Solutions Created Equal? Part 3*, available at <http://www.springpathinc.com/blog/are-all-hyperconvergence-solutions-created-equal-part-3/> (last accessed Feb. 24, 2016).

I declare under the penalty of perjury that the foregoing information is true and correct.

/s/ Anant Saraswat

Anant Saraswat (BBO # 676048)

Dated: February 26, 2016

**CERTIFICATE OF SERVICE**

I, Anant Saraswat, hereby certify that a true copy of the attached was served upon the attorney of record for each other party through the Court's CM/ECF system on February 26, 2016.

/s/ Anant Saraswat

Anant Saraswat